

UNITED STATES DISTRICT COURT  
for the  
Southern District of New York

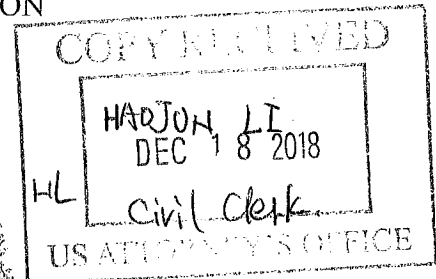
New York Civil Liberties Union

\_\_\_\_\_  
Plaintiff  
  
v.  
United States Immigration and Customs Enforcement  
\_\_\_\_\_  
Defendant

Civil Action No. 1:18-cv-11557

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)  
United States Immigration and  
Customs Enforcement  
500 12th St. SW, Washington,  
D.C. 20536



A lawsuit has been filed against you.

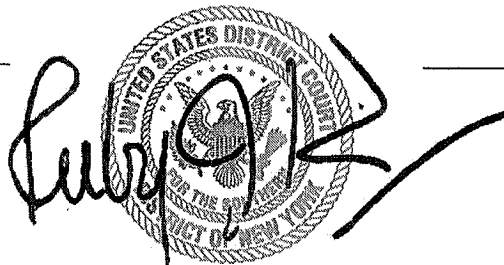
Within 30 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

New York Civil Liberties Union  
125 Broad Street, 19th Floor,  
New York, NY 10004

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/13/2018



/s/ D. Howie

Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

NEW YORK CIVIL LIBERTIES  
UNION,

Plaintiff,

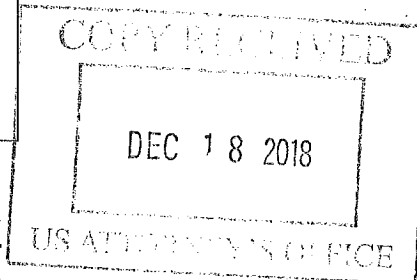
v.

UNITED STATES IMMIGRATION AND  
CUSTOMS ENFORCEMENT,

Defendant.

**COMPLAINT**

**INTRODUCTION**



1. The New York Civil Liberties Union brings this action under the Freedom of Information Act to force the U.S. Immigration and Customs Enforcement to release records sought by the NYCLU about how ICE conducts custody determinations for thousands of people it detains each year and the outcome of those determinations, particularly for individuals in New York State. These custody determinations are of immense public significance, as they dictate whether people ICE has arrested will be incarcerated for weeks or months awaiting an initial appearance before an immigration court or released on bond or recognizance and allowed to return home to their families.

2. In June 2018, media outlets reported for the first time that ICE had recently modified the algorithm for a “computer-based risk classification assessment tool” that its officers use as part of the custody determination process. This modification altered the tool so that it cannot result in a recommendation to release a person from custody on bond.